



THE NAVAJO NATION

Leonard Haskie
Interim Chairman

Irving Billy
Interim Vice-Chairman

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COMPANY: Emergency Response Section

ORIGINATOR: DR. GAURAV RAJEN

COMPANY NAVAJO SUPERFUND PROGRAM

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TUJBA CITY — Former Navajo Chairman Peter MacDonald, his vice chairman and 30 others were indicted by a Phoenix Federal Grand Jury on Tuesday for their roles in a Window Rock riot two years ago that left six Navajo police officers injured and two Navajo men dead.

The 18-count indictment follows a two-year-long investigation by the Navajo Police Department and the FBI, said Pam Gullett, an assistant U.S. attorney.

"The indictment charges 32 individuals with various crimes including conspiracy to overthrow the Navajo government, kidnapping, assault with a dangerous weapon, assault resulting in serious bodily injury, robbery, (and) burglary of the tribal administration and finance building," Gullett said.

She said summonses will be served on all of the defendants this week that order them to appear in Phoenix for arraignment. Bench warrants will be issued for those who fail to appear, Gullett added.

Killed by police bullets during the riot July 20, 1989, day were James Dickson, 57, and Arnold Begay, 27.

MacDonald, 63, who was convicted in two tribal court trials last year on 52 corruption charges, and indicted on federal racketeering charges in March, remains under a tribal court order not to speak to the press.

Among those indicted are former Vice Chairman Johnny R.

EPA accused of 'environmental racism'

By VALERIE TALIMAN CHAVEZ
Special to Navajo Times

ALBUQUERQUE — The Environmental Protection Agency was accused yesterday of "environmental racism" by members of the Southwest Network for Environmental and Economic Justice, a multi-cultural, multi-national organization representing hundreds of organizations and individuals in eight Southwestern states.

The Southwest Network held press conferences and demonstrations at Kirkland Air Force Base in Albuquerque, N.M. and at EPA regional offices in San Francisco, Calif., and Dallas, Texas to call attention to EPA policies and practices that they say contribute to environmental degradation, illness and death in minority communities.

The EPA's track record on Indian reservations is weak and some Navajo families believe that racism is one reason they have not been helped.

"The purpose of these actions is to put the EPA and the U.S. government on notice that no longer will communities of color allow them to get away with the kind of injustices that have been committed against our people," said Richard Moore, Co-Chairman of the Southwest Network, which is based in Albuquerque.

Requests and pleas for EPA assistance have "fallen on deaf ears" say the Southwest Network regional representatives who signed an eight page letter to EPA Administrator William K. Reilly citing many examples of unequal protection and selective enforcement practices by the EPA. The letter also calls on Reilly to convene a meeting in the southwest within six days to address the network's concerns.

"The way priorities are decided and resources are used clearly demonstrate that institutional racism runs rampant at EPA," said Moore. "We have documented many cases of how the EPA has played a major role in environmental racism by allocating its resources and staff efforts inequitably. For example, the EPA has only four staff working on pesticide problems that poison thousands of farmworkers while they have over 50 staff members working to protect predominantly middle-class family homeowners

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Affairs, called the indictment against him and the entire feeblest and most ridiculous and the most idiotic lawsuit a prosecution that's ever been brought by a U.S. attorney."

Benally claims he did not arrive at the scene until after the riot with police was over. He said the indictment is politically motivated and one-sided because it charges "practically campaign staff of Peter MacDonald" without charging his opponents.

LeNora Fulton, another of those indicted Tuesday, also not to have arrived at the scene until nearly an hour after the rioting began.

"When I got there, everything had happened," she said. "The news people were already there. I just kind of went started taking pictures like they were doing and taping things."

Fulton is charged with distributing plastic handcuffs called "cuffs" to MacDonald's supporters shortly before they gathered in a meeting area for the tribe's administration and finance building site of the riot.

She denied the allegation.

"I would never consider doing something like that," she believe in abiding by the law myself. I may not agree with respect it."

see pag

Transportation of radioactive waste

By MERVYN TILDEN
Special to Navajo Times

GALLUP — On Thursday, July 25, Senator Gloria Howes, D-McKinley District 4, and Senator John Pinto, D-San Juan/McKinley District 3, both sponsored a W.I.P.P. meeting with focus on alternate designated routes at the Gallup Chamber of Commerce in Gallup, N.M.

The Waste Isolation Pilot Plant is a research and development facility of the U.S. Department of Energy that is designed to demonstrate the safe geological disposal of defense-generated radioactive waste. The project is located in southeastern New Mexico, 26 miles east of Carlsbad.

I-40, from the Arizona-New Mexico border is one of the proposed designated routes that would affect the Gallup McKinley County area and residents once the transportation of the radioactive materials began.

Senator Howes said, "We were hearing a lot of questions from concerned citizens so we decided to get the experts in here."

"I think we should have more

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Chris Wentz, N.M. the public during demonstration. (Times photo)

EPA accused of 'environmental racism'

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from radon contamination," he added.

"We know that people of color in the U.S. suffer disproportionately from toxic contamination. In the Southwest, our lifestyles are in jeopardy — the water we use daily for religious ceremonies and watering crops is polluted, our land is tainted by uranium spills. We are paying the highest price from pollution with increased health problems and we're tired of it," Moore declared.

"If toxic contamination by the military or big corporations occurs on or near Indian reservations, or in Chicano or African American communities, we are among the last to be informed about the damage caused to our health, our land and our way of life. We're a low priority for the U.S. government, and clean up efforts are slow in coming," said Moore in a telephone interview yesterday.

Moore's comments are echoed by many Navajo people who also believe they have been treated unfairly by the U.S. Government and its various agencies that left behind a legacy of toxic contamination from uranium mining, petrochemical pollution and medical waste.

Officials at the Navajo Superfund Office confirmed that assistance from the U.S. EPA is slow and often limited.

Navajo Superfund staff have been trying to secure clean up crews through the U.S. EPA since last year for two of the reservation's most highly contaminated radioactive sites that may potentially affect as many as 500 people.

Last November, a Public Health Advisory was issued by the Agency for Toxic Substances and Disease Registry for two former uranium mining sites near Bluewater, N.M., in the Baca Chapter where several Navajo families live.

Public Health Advisories, which are rarely issued, are used to warn people of "imminent public health threats" according to Mike Greenwell at ATSDR headquarters in Atlanta, Ga.

The Public Health Advisory issued for the Brown Vandever and Desiderio uranium mining sites indicated there were "significant

environmental hazards to human health" because of the presence of radioactive mine wastes and toxic heavy metals.

The report, issued in November, 1990, recommended that local Navajo families be informed of the possible health consequences of radiation exposure and that radiation detection devices be used by residents to estimate the radiation exposure received.

The Public Health Advisory also noted that, if necessary, local Navajo families should be removed from the site until the public health hazard was removed. It went on to say that correction of the health hazard should occur in the "most expeditious manner" consistent with federal and state environmental protection and radiation protection laws.

But "expeditious" is not the word Harry Desiderio would use to describe clean up efforts at his family's home. Instead of the prompt action that they hoped for, the Desiderio family has been frustrated by a lack of action on the part of federal, state and tribal officials to take action to protect them from radiation exposure.

Except for regular visits from the Navajo Superfund staff who update them on what is happening, Desiderio says many of the technicians and officials who came to take soil and water samples have failed to make good on promises they made to clean up the mine tailings that his children play in daily, or to fill the 50-foot pits left behind by Santa Fe Uranium and Hanosh Mines of Grants, N.M.

"All these technicians from the EPA came here wearing masks and protective clothing to take samples. They put radiation measuring devices in our homes and told us we were in danger. But we already knew that from several years ago when they first came around. We've been trying to get help for a long time," said Desiderio as he warned his young children to step away from the treacherous pit that lies within 100 yards of his house.

"If we were white people, I think this would have been cleaned up a long time ago," Desiderio remarked. "I just want someone to give me one good reason why no one will help us."

Although the findings of data collected by the Navajo Superfund Office, Navajo EPA and federal officials were serious enough to warrant the issuance of a Public Health Advisory, no clean up activities have been initiated yet. EPA officials say an action plan has been formulated and is awaiting approval by Washington officials.

"We just got word today that the Region IX EPA plans to start clean up efforts soon," said Guarav Rajen, a hydrologist with the Navajo Superfund Office in Window Rock. "It's good that we're finally getting some action on the Desiderio/Brown Vandever site, but this is only one of hundreds of cases like this around the reservation," he added.

Joanne Manygoats, Navajo Superfund Director, acknowledged that the program has a big job ahead. Formed in 1988, the program performs site inspections and environmental health assessments at uranium mines, sheep dips, waste dumps and other sites throughout the reservation. The program makes recommendations to the U.S.

Executive Director of years prior to moving. Peterson is knowledgeable as well as national tri delivery systems.

Dr. Peterson was sight/coordination association goals and ASBA; maintaining overseeing a full range Arizona School Bc services to the 225 A board members and eleven fulltime emplo

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CHINLE BOARDING SCHOOL
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PUBLIC NOTICE

Chinle Boarding School at Many Farms, Arizona will be enrolling Kindergarten through 8th grade students for School Year 1991-92.

Chinle Boarding School will again operate Kindergarten Program for day students.

Back By Popular Demand....

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tion. He has been serving as Director of Membership Services for the Association for the past three years.

Dr. Peterson has extensive managerial experience, having served as Executive Director of the Indiana School Boards Association for thirteen years prior to moving to Arizona in 1988.

Peterson is knowledgeable of various educational issues within the state as well as national trends impacting the education process and educational delivery systems.

Dr. Peterson will assume responsibility for managerial oversight/coordination to association functions, including implementing association goals and objectives; serving as an official spokesperson for the ASBA; maintaining board membership leadership programs as well as overseeing a full range of services to member boards.

Arizona School Boards Association is a statewide organization providing services to the 225 Arizona school boards representing nearly 1,000 school board members and more than 600,000 students. ASBA has a staff of eleven fulltime employees.

Nakai attends NMT mini-course

SOCORRO, N.M. — Tracy Lynn Nakai a junior at Aztec High School attended a mini-course in computer science at New Mexico Tech in Socorro from June 16-21.

Nakai, the daughter of Ervin Lee and Mary Lou Nakai, was one of nineteen students who attended the computer science mini-course. The mini-course was one of six mini-courses offered this summer at Tech.

The courses in computer science, electrical engineering, environmental engineering, mining and geological engineering, and petroleum engineering are offered to high school students the summer between their junior and senior years.

The courses, taught by Tech professors and graduate students, offer high school students the opportunity to experience college life as well as introduce the students to a field of science through class hours, lab hours, field trips, and hands-on experience.

The students who attend the mini-courses are selected on the basis of academic achievement. Information for the courses is sent to high school students who have shown an interest in attending Tech through letters of inquiry or through American College Testing and Scholastic Aptitude Test information.

New Mexico Tech, a state-supported university, offers bachelor's, master's, and doctoral degrees in various disciplines of science and engineering.

EPA on which sites should be included on the National Priorities List, the nation's most serious hazardous waste sites.

"I'm amazed that for all these years existing agencies never did anything about the serious health hazards created by all of these sites," Manygoats said.

"We need to look at the toxic contamination issue from many levels including the environment, health, economic and social welfare angles. I think what is needed is a summit meeting between the U.S. EPA, Navajo EPA, ATSDR, Indian Health Service, BIA and all agencies dealing with the Superfund process."

"As a sovereign nation, we have a responsibility to our Navajo people to do something about tracking the health problems of the people affected by contaminated sites. We must also set an example for tough regulation and prosecution of polluters on the Navajo Nation," she stressed.

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Many Farms,
Kindergarten
at School Year



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Donald indicted Innocent victim

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A government spokesman Duane Beyer said the wait has been long and frustrating.

Whether you support MacDonald or not, felt that happened on July 20, 1989, and that someone had to do justice," he said. "What this indictment and all will do is finally heal the sore that has been in Navajo Nation for two years now."

Without having checked tribal personnel policies, administrative leave for current tribal employees who could be appropriate given the seriousness of the

kind of supervisory action will be taken remains to be seen.

Some 250 MacDonald supporters occurred in the months after the Navajo Tribal Council suspended chairman.

Suspension, the first-ever of a Navajo chairman, testimony before a U.S. Senate investigating committee from his son and a former business partner, MacDonald in numerous instances of corruption

ion and replacement by an interim administration tribal members. During much of this time, MacDonald's reservation declaring his innocence, and denied both the council's action and subsequent tribal ruling the decision to suspend him.

After indictment, MacDonald held meetings at his ranch for his taking back the chairmanship, which supporters occupying the tribe's administration and fighting

the riot, the indictment says, Donald Benally chairman Raymond Nakai a fake letter from the office which supposedly cleared MacDonald of wrongdoing.

That he had such a letter at a MacDonald rally MacDonald urged the crowd to join him in taking action.

After the riot, MacDonald attempted to forcibly remove the tribe by reinstating the fired Navajo police chief, and ordering him to use the police to restore order.

Donald was in violation of a tribal court order to refrain from interfering in tribal government while

he refused to act on MacDonald's directive, supporters began to march toward the tribal administration building.

When clubs and allegedly acting as a "security" supporters were met by one police officer, Lt. Lee asked if they were planning to demonstrate

indictment, 17 people overpowered Hawkins, his patrol car, broke into his car and pulled a service revolver.

James Dickson, reportedly used the gun to shoot Lee in the leg. Lee returned fire, hitting Dickson

Donald Begay, was also shot and killed by police

who were indicted with taking the service revolvers from officers.

allegedly assaulted with clubs, the indictment

By VALERIE TALIMAN CHAVEZ
Special to Navajo Times

ALBUQUERQUE — Jenny Desiderio counted off on one hand the number of relatives she has lost to cancer and other diseases associated with exposure to uranium. She is the matriarch of the Desiderio Family that resides next to huge uranium pits and open mine shafts left behind by mining companies that plundered their land when her children were still small.

Her son, Harry, who worked in Grants area uranium mines for 22 years and now suffers from silicosis, remembers the blasting that used to occur without warning when he was a boy herding sheep.

"They didn't even warn us that they were going to blast on any certain day. We used to just run for cover and pray we wouldn't get hit," he remembers.

The home of a neighboring relative even bears the scars of a hole torn in the roof by a huge chunk of ore that landed there during one of the blasts.

The Desiderio mining site is a series of open-pit areas ranging from 30 to 50 feet in depth and length. No restricted access to the pits has ever existed which allows children and grazing sheep to wander into these areas.

Jenny Desiderio says she lost a grandson in a sledding accident that occurred one winter in one of the pits. She was told he died

from brain damage.

The open pits have also taken a toll on her livestock. According to Mrs. Desiderio, half of her livestock have died over the years from drinking contaminated rainwater that pools in the many pits surrounding her home. Navajo Superfund officials believe the animals may have died after ingesting heavy metals leached from ores into the pits.

"I had a ram that died just last week," said Mrs. Desiderio. "Some men in white coats came around and took tissue from the ram, but I don't know where they were from. They never even told me who they were," she complained.

"My grandchildren are scared. All these officials came around and put equipment in our houses to see how much radiation we are exposed to. We seen them wearing their protective gear because they're afraid of being contaminated. But we live here everyday without any protection," she said, shaking her head.

"I'm tired of waiting for help. We've been everywhere to ask for help. We even wrote letters to the President. For awhile we thought something was going to happen when they told us they would relocate us. But nothing ever happened — just talk," observed Mrs. Desiderio.

"But I gave up on them. I'll probably just die here," she said quietly.



BLANDING
RIDING